



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER  
REQUIRES PROMPT RESPONSE**

May 7, 2009

Thomas Ruby, Plant Manager  
Free-Flow Packaging International, Inc.  
4 Saint Mark Street  
Auburn, MA 01501

Ronald N. Clazie, Manager of Environmental Affairs  
Free-Flow Packaging International, Inc.  
1090 Mills Way  
Redwood, CA 94063-3120

Re: Clean Air Act Reporting Requirement, Docket No. AAA-09-0009

Dear Mr. Ruby and Mr. Clazie:

The United States Environmental Protection Agency ("EPA") is issuing this Reporting Requirement for the purpose of evaluating whether Free-Flow Packaging International, Inc. in Auburn, Massachusetts ("FP International") is in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. The regulations include the federally enforceable sections of the Massachusetts State Implementation Plan regulations at 310 CMR 7.00 et seq., Air Pollution Control Regulations.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Clean Air Act. Therefore, within **60 days** of the date FP International receives this Reporting Requirement, FP International is required to provide all of the information outlined below for the Auburn facility ("Facility") unless otherwise specified. Please provide a separate numbered response to each numbered paragraph or subparagraph below:

1. Provide the following information about FP International:
  - a. Describe the ownership and business structure;
  - b. Indicate the date and state of incorporation;
  - c. List any partners or corporate officers;
  - d. List any parent and subsidiary corporations;

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- e. Provide the number of employees at the facility;
  - f. Provide the net worth of the company (if not available, provide gross annual receipts since 2003); and
  - g. Provide the date when FP International began operating the Facility.
2. Provide copies of all records FP International used to track the monthly volatile organic compound (VOC) emissions at the Facility between January 1, 2003, and December 31, 2008. The records should include the total amount of raw materials that contain VOCs including expanding agents, miscellaneous chemicals, and fuels used at the Facility. Specifically:
- a. For all expanded polystyrene packing products provide copies of:
    - i. All logs or receipts of shipments of raw materials (including incoming beads) received;
    - ii. All "Certificates of Analyses" for each lot of raw materials received. If such "Certificates of Analyses" are unavailable, the material safety data sheets (MSDSs) for each lot of raw materials received. Note: the MSDS should be relevant to the time period the raw material was received. If such MSDSs are unavailable, provide all the other data used to determine the VOC content of raw materials received;
    - iii. All production records of raw materials used each month;
    - iv. All production records that record the monthly amount of finished products;
    - v. The "Auburn Daily Log" reports that include the hours of operation, actual material usage, and total emissions;
    - vi. A calculation of monthly VOC emissions from expanded polystyrene product production (explain any assumptions); and
    - vii. All records used to calculate the amount of VOCs that remain in the finished expanded polystyrene product upon leaving the Facility.
  - b. For all miscellaneous chemicals used at the Facility provide copies of:
    - i. All logs or receipts of shipments of the miscellaneous chemicals;
    - ii. The MSDS for each miscellaneous chemicals received (note: if the MSDS does not contain VOC content of the miscellaneous chemicals, provide the miscellaneous chemical manufacturer's specification of VOC content);
    - iii. Records of the amount of miscellaneous chemicals used each month; and
    - iv. A calculation of monthly VOC emissions from miscellaneous chemicals (explain any assumptions).
3. Provide copies of the calculations and the reports that the Facility used to fill out the annual emissions reports for the Massachusetts Department of Environmental Protection (MassDEP) from 1990 through 2008.

4. For each year from 2004 through 2008, estimate how much of its own scrap expanded polystyrene the Facility reused in its products. Also, estimate how much scrap expanded polystyrene FP International received from other sources (other than the raw material polystyrene used for extrusion). Include copies of the information used to make this estimate.
5. For each year from 2004 through 2008, estimate the average length of time in days that finished expanded polystyrene packing products were stored on-site at the Facility. Include copies of the information used to make this estimate.
6. Provide the following information (and corresponding documentation) about the polystyrene expanders that the Facility currently uses:
  - a. The date each expander was purchased;
  - b. The date each expander was installed;
  - c. The date each expander began operating; and
  - d. The name of the manufacturer, model number, size, production rate, and any other operational specifications.
7. Provide the following information (and corresponding documentation) about each polystyrene extruder machine that the Facility currently uses:
  - a. The date each extruder machine was purchased;
  - b. The date each extruder machine was installed;
  - c. The date each extruder machine began operating; and
  - d. The name of the manufacturer, model number, size, production rate, and any other operational specifications.
8. Provide a list of all other process equipment (e.g. aging bags) and process support equipment (e.g. boilers, compressors, and storage tanks) costing above \$10,000 that FP International installed at the Facility since January 1985. Also, for each piece of equipment, provide the following information (and corresponding documentation):
  - a. The purpose/role of the equipment;
  - b. The date the equipment was purchased;
  - c. The date the equipment installation was completed;
  - d. The date the equipment began operating; and
  - e. The name of the manufacturer, model number, size, maximum production rate, and any other operational specifications.
9. Provide copies of all correspondence with state and federal environmental agencies regarding emissions of air pollution from the Facility, including copies of:
  - a. All permits issued;
  - b. All permit applications; and
  - c. Any requests for permit modifications.
10. Provide copies of the results of all testing FP International has conducted at any of its locations, and of any other testing FP International has used or relied on, to

determine the amount of blowing agent retained in finished expanded polystyrene packing products. Include a detailed description of the testing methodology.

Mail the submissions required by this letter to:

Steven Calder, Enforcement Officer  
US EPA Region I  
One Congress Street Suite 1100 (SEA)  
Boston, Massachusetts 02114

Be aware that if FP International does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

FP International may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R § 2.203(b). Note that certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to FP International.

If you have any questions regarding this requirement, please contact Enforcement Officer Steven Calder, at (617) 918-1744, or have your attorney call Senior Enforcement Counsel Thomas T. Olivier, at (617) 918-1737.

Sincerely,



Susan Studlien, Director  
Office of Environmental Stewardship

cc: Patricia Arp, MassDEP